Remarks

Claims 1, 3 – 8, 10 – 15, 17 – 21, and 23 – 32 are pending. Claims 1, 3 – 8, 10 – 15, 17 – 21, and 23 – 32 are rejected. Applicants respectfully traverse the rejection and request allowance of claims 1, 3 – 8, 10 – 15, 17 – 21, and 23 – 32.

Claims 1, 3, 5 and 24 – 26 are rejected under 35 USC 102(b) as being anticipated by Connolly et al (5,325,419). Claim 1 is reproduced below.

1. A method of operating a service control point, the method comprising:

receiving a call set-up message into the service control point for an incoming call;

processing the call set-up message to identify a first device where the first device is a wireless device;

generating an alert message indicating the incoming call and caller information from the call set-up message;

(a) transmitting the alert message from the service control point to the first device;

(b) receiving a response message into the service control point from the first device wherein the response message indicates a second device to receive the incoming call;

processing the response message to generate a routing instruction that connects the incoming call to the second device; and

transmitting the routing instruction from the service control point. (Labels added)

Claim 1 is a method that involves a series of steps. One of the steps requires that a service control point (SCP) sends an alert message to a first wireless device indicating that the first wireless device has an incoming call (step a). The first wireless device sends a message back to the SCP identifying a second device and indicating that the SCP should re-direct the incoming call to the second device (step b).

The examiner has cited the description of figure 11 in column 31 and column 32 of Connolly as teaching the invention of claim 1. Figure 11, described in columns 31 and

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32, shows an incoming call to a portable handset terminal. The portable handset terminal must be the first wireless device of claim 1, because the portable handset terminal is the only wireless device in figure 11. PSC and PSC2 are not wireless devices, PSC and PSC2 are PCS switching center (see bottom of figure 2 for PSC definition) that corresponds to item 16 in figure 1, and IBS is an intelligent base station. Figure 11 is just a sequence diagram for an incoming call to the portable handset terminal (see column 31 lines 5 – 8). The only message received by the SCP after the portable handset terminal has received the alert message (H15) is message H21. Message H21 is described in column 33 lines 10 – 20 and is an AIN service request message that identifies the portable handset terminal and starts the authentication process. The sequence of messages shown in figure 11 between the SCP and the portable handset terminal end up with the incoming call connected to the portable handset terminal (see column 34, lines 4 – 5) not to a second device. There is no message from the portable handset terminal that redirects the incoming call to a second device as required by claim 1.

In the examiners response to arguments section of the current office action, the examiner re-states that columns 31 and 32 teach "receiving of an incoming call _from_ a first device" (underline added). Applicant does not disagree, columns 31 and 32 do show an incoming call _from_ a first device. However, Claim 1 requires an incoming call _to_ (not from) a first device. Claim 1 also requires that the first device sends a message to the service control point indicating that the incoming call should be sent to a second device (as discussed above).

The examiner also states that the final results between Connolly and the current application are identical. This is untrue. An incoming call to a portable device in Connelly can not be dynamically redirected to a second device. The current invention allows such an action. For example, if a fax call is directed to (incoming) a portable phone (the first device), the portable phone will be alerted by the SCP that it has an incoming fax call. The SCP alerts the portable phone to the incoming fax call using the alert message (step a). The portable phone may not be able to handle a fax. However there may be a fax machine nearby. The portable phone may send a message back to the SCP indicating that the SCP should redirect the incoming fax call to the nearby fax machine. Connelly does not have this capability.

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"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Here, the cited art does not teach having a first wireless device redirect an incoming call to a second device in response to an alert message, therefore the cited prior art does not fulfilled the requirements for a *prima facie* case of anticipation. Therefore claim 1 is allowable as written.

Claims 3 – 7 are dependent on allowable claim 1 and are therefore allowable.

The arguments for claim 1 (above) apply to claim 24. Therefore claim 24 is allowable.

Claims 25 and 26 are dependent on allowable claim 24 and are therefore allowable.

Claims 8, 10, 12, 15, 17, 19 and 23 are rejected under 35 USC 103(a) as being unpatentable over Connolly et al (5,325,419) in view of Torba et al (6,563,788). Nether Connolly nor Torba teach having a first wireless device redirect an incoming call to a second device in response to an alert message. Therefore the arguments for claim 1 (above) apply to claim 8 and claim 8 is allowable as written.

Claims 10 – 14 are dependent on allowable claim 8 and are therefore allowable.

The arguments for claim 8 (above) apply to claim 15. Therefore claim 15 is allowable.

Claims 17 – 21, and 23 are dependent on allowable claim 15 and are therefore allowable.

Claims 27 – 29 are rejected under 35 USC 103(a) as being unpatentable over Connolly et al (5,325,419) in view of Criss et al (6,643,506). Nether Connolly nor Criss teach having a first wireless device redirect an incoming call to a second device in response to an alert message. Therefore the arguments for claim 1 (above) apply to claim 27 and claim 27 is allowable as written.

Claims 28 and 29 are dependent on allowable claim 27 and are therefore allowable.

Claims 30 – 32 are rejected under 35 USC 103(a) as being unpatentable over Connolly et al (5,325,419) in view of Janow et al (6,061,570).

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Nether Connolly nor Janow teach having a first wireless device redirect an incoming call to a second device in response to an alert message. Therefore the arguments for claim 1 (above) apply to claim 30 and claim 30 is allowable as written.

Claims 31 and 32 are dependent on allowable claim 30 and are therefore allowable.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 1, 3 – 8, 10 – 15, 17 – 21, and 23 – 32.

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